IN THE DRAWINGS

The attached sheet of drawings includes a change to Fig. 1. This sheet, which includes Fig. 1, replaces the original sheet including Fig. 1.

Attachment: Replacement Sheet

REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-13 are presently active in this case. The present Amendment amends Claims 1-9; and adds Claims 10-13.

The outstanding Office Action objected to the drawings and claims because of informalities. Claims 1 and 2 were rejected under 35 U.S.C. § 102(a) as anticipated by Boudjemaa et al. (U.S. Patent Publication No. 2004/0253491). Claims 4 and 5 were rejected under 35 U.S.C. § 102(b) as anticipated by Tillmetz et al. (U.S. Patent No. 6,410,175).

Claims 3 and 6 were indicated as allowable if rewritten in independent form. Applicant acknowledges with appreciation the indication of allowable subject matter.

In response to the objection to the claims, the claims are amended to correct the noted informalities and to comply better with U.S. practice.

In response to the objection to the drawings, submitted herewith is a Letter Submitting Replacement Drawing Sheets along with one Replacement Sheet for Fig. 1 adding the reference 4 for the plate mentioned at page 7, second to last paragraph.

In light of their formal nature, the changes to the claims and drawings do not raise a question of new matter.

In order to clarify Applicant's invention, method Claim 1 is amended to recite a step of supplying, when the reformer is cold, a first subassembly of cells of the fuel-cell stack with reformates from the reformer *while a second subassembly of cells of the fuel-cell stack is not supplied with reformates*. Claim 1 is further amended to recite supplying, when the reformer is hot, the first and second subassemblies of cells of the fuel-cell stack *with reformates from said reformer*. System Claim 4 is amended to recite *means for supplying* reformates from the reformer to the first subassembly of cells *while not supplying the second subassembly of cells*

and for supplying the second subassembly of cells as a function of the reformer temperature. In order to vary the scope of protection recited in the claims, new dependent Claims 10-13 are added. The changes to the claims find support in the disclosure as originally filed, for example from page 7, last paragraph to page 8, last full paragraph, with corresponding Fig. 2. Therefore, the changes to the claims are not believed to raise a question of new matter.[1]

In response to the rejections of the claims under 35 U.S.C. § 102(b), and in light of the present Amendment, Applicant respectfully requests reconsideration of these rejections and traverses the rejections, as discussed next.

Briefly recapitulating, Applicant's invention, as recited in amended Claim 1, relates to a method for starting a fuel-cell stack including a plurality of cells supplied by a reformer. The method includes several steps. When the reformer is cold, a first subassembly of cells of the fuel-cell stack is supplied with reformates from the reformer ***while a second subassembly of cells of the fuel-cell stack is not supplied with reformates***. Then, when the reformer is hot, the first and second subassemblies of cells of the fuel-cell stack are supplied ***with reformates from the reformer***. The cells of the first subassembly are optimized for operation with a cold reformer and the cells of the second subassembly are optimized for operation with a hot reformer.

Turning now to the applied prior art, the Boudjemaa et al. publication discloses a reformer 4 connected in series to an auxialiary fuel cell 7 and to a primary fuel cell 2. See Fig. 1 and paragraphs [0023]-[0031]. However, the Boudjemaa et al. publication fails to disclose the claimed method. In particular, the Boudjemaa et al. publication fails to disclose the claimed step of supplying, when the reformer is cold, a first subassembly of cells of the fuel-cell stack with reformates from the reformer *while a second subassembly of cells of the*

[1] See MPEP 2163.06 stating that "information contained in any one of the specification, claims or drawings of the application as filed may be added to any other part of the application without introducing new matter."

fuel-cell stack is not supplied with reformates, nor the step of supplying, when the reformer is hot, the first and second subassemblies of cells of the fuel-cell stack *with reformates from the reformer*. Instead, the primary fuel cell 2 is supplied with gaseous mixture 13 from the auxiliary fuel cell 7, not with reformates from the reformer 4.

Therefore, the Boudjemaa et al. publication fails to disclose every feature recited in Claims 1-2, so that Claims 1-2 are not anticipated by the prior art. Accordingly, Applicant respectfully submits that the present Amendment overcomes the 35 U.S.C. § 102 rejection based on the Boudjemaa et al. publication.[2]

Independent system Claim 4 requires *means for supplying* reformates from the reformer to the first subassembly of cells *while not supplying the second subassembly of cells* and for supplying the second subassembly of cells as a function of the reformer temperature. The Tillmetz et al. system does not disclose such means. Instead, the Tillmetz et al. patent discloses, as seen in Fig. 3, a fuel cell system with first and second fuel cell stacks 21, 22, a reformer 23, and a methanol reservoir 24. A starting fluid reservoir 26 includes a supply of starting fluid, which is provided during start-up, directly through valve 28a to the first fuel cell stack 21. However, the Tillmetz et al. patent does not disclose that the reformates from reformer reformer 23 is supplied to one of the fuel stacks 21, 22, while not to the other.

Therefore, the Tillmetz et al. patent fails to disclose every feature recited in Claims 4-5, so that Claims 4-5 are not anticipated by the prior art. Accordingly, Applicant respectfully submits that the present Amendment overcomes the 35 U.S.C. § 102 rejection based on the Tillmetz et al. patent.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in

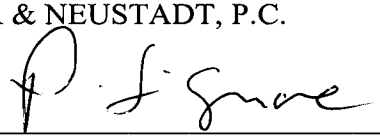
[2] See MPEP 2131: "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference," (Citations omitted) (emphasis added). See also MPEP 2143.03: "All words in a claim must be considered in judging the patentability of that claim against the prior art."

condition for formal Allowance. A Notice of Allowance for Claims 1-13 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicant's undersigned representative at the below listed telephone number.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Philippe J.C. Signore, Ph.D.
Attorney of Record
Registration No. 43,922

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)